

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
PATRICK B. McDONNELL
LINDA ULISS BURKE
Deputy City Attorneys



OFFICE OF CITY ATTORNEY

800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD (414) 286-2025
FAX (414) 286-8550

December 12, 2003

To the Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

Re: Communication from Attorney Laurie Eggert, Eggert & Cermele, S.C.
for legal fees for Police Officers Scott Voelks and Michael Lutz
C.I. File No. 01-S-396; ELO No. 1715

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Scott Voelks and Michael Lutz. The claim is in the amount of \$738.64, including \$12.64 in disbursements for 6.60 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced and referred to the Committee on Judiciary & Legislation.

We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was occasioned by the filing of a citizen's complaint against the officers with the Fire and Police Commission. The complaint was dismissed by the Commission.

As we have advised you under similar circumstances in the past, the Common Council has discretion to reject this claim or to pay it in whole or in part. Sec. 895.35, Stats., Bablitch and Bablitch v. Lincoln County, 82 Wis. 2d 574 (1978).

Very truly yours,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney
JAS:enm

Enc.

2295

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRLICH
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

CITY OF MILWAUKEE

2001 NOV 12 AM 8:36

RONALD D. LEONHARDT
CITY CLERK

1840 North Farwell Avenue

Suite 303

Milwaukee, Wisconsin 53202

(414) 276-8750

FAX (414) 276-8906

November 7, 2001

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

RE: Citizen Complaint of Ms. Jacquetta A. Cathey
Against POs Scott Voelks and Michael Lutz
Complaint No.: 01-25
Date of Incident: January 31, 2001
EC No.: 1715

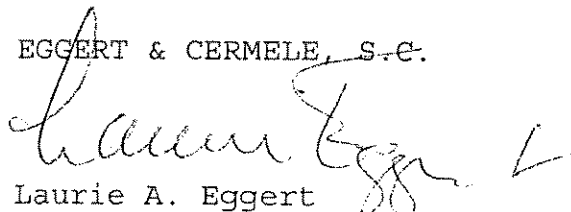
Dear Mr. Leonhardt:

The above-named police officers have retained us to represent them in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent them and as they were performing the duties of their office at the time of the events giving rise to the incident, the claim is hereby made on their behalf for the indicated legal fees. This incident involved a D/C arrest. The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.



Laurie A. Eggert
Attorney at Law

RECEIVED
CITY CLERK
NOV 12 AM 3:17
LAE/121
VOELKLU CATHEY

12/12/03

O.K.

JHS

Letter 2295

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

November 7, 2001

Mr. Ronald Leonhardt
Milwaukee City Clerk
City Hall
200 East Wells Street
Milwaukee WI 53202

RE: Citizen Complaint of Ms. Jacquetta A. Cathey
Against POs Scott Voelks and Michael Lutz
FPC No: 01-25
Date of Incident: January 31, 2001
Location of Incident: 1135 West State Street

Professional services

	<u>Hours</u>
05/21/01 Open file; conference with client; memo to file; correspondence to client; review complaint; correspondence to MPD Open Records; correspondence to MPD Personnel.	1.20
05/30/01 Review of correspondence from FPC.	0.10
06/08/01 Telephone call from MPD Open Records; memo to file.	0.20
06/12/01 Review documents from MPD Open Records.	0.60
06/18/01 Telephone call from clients; telephone call to FPC; review of correspondence from FPC.	0.40
06/21/01 Telephone call from Heard.	0.10
06/22/01 Telephone call from and to FPC; review of file.	0.20

	<u>Hours</u>	
06/28/01 Memo to file.	0.10	
07/02/01 Review of correspondence from FPC; correspondence to clients.	0.10	
07/16/01 Telephone call from client; telephone call to FPC; memo to file; telephone call to client; review of correspondence from FPC.	0.60	
07/31/01 Telephone call from FPC; correspondence to client; review of file.	0.30	
08/16/01 Telephone call to and from Heard; telephone call to clients.	0.30	
08/20/01 Review of file; preparation for and appearance at conciliation; conference with clients; memo to file; travel.	1.30	
10/01/01 Review of file; research regarding court records; memo to file.	0.60	
10/15/01 Review of correspondence from FPC; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	6.60	\$726.00
Additional charges:		
06/18/01 MPD Open Records request		10.14
08/20/01 Parking		2.50
Total costs		<u>\$12.64</u>
Total amount of this bill		<u>\$738.64</u>

Mr. Ronald Leonhardt

Page 3

Amount

Balance due

\$738.64

(Rate: \$110.00 per hour)

RECEIVED

OCT 15 2001

EGGERT

BOARD OF
FIRE AND POLICE COMMISSIONERS : CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

In Re:
THE CHARGES OF JAQUETTA CATHEY
AGAINST POLICE OFFICERS SCOTT VOEKS
AND MICHAEL LUTZ

ORDER OF DISMISSAL

To Officer Scott Voeks:

It is hereby ordered that the Complaint of Jaquetta Cathey, Complaint No. 2001-25, filed with the Board on March 26, 2001, is dismissed due to the Complainant's passivity, by the

MILWAUKEE BOARD OF
FIRE AND POLICE
COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, OCTOBER 11, 2001.

c: Attorney Laurie Eggert ✓

OCT 15 2001

EGGERT & CEFM

BOARD OF
FIRE AND POLICE COMMISSIONERS : CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

In Re:
THE CHARGES OF JAQUETTA CATHEY
AGAINST POLICE OFFICERS SCOTT VOEKS
AND MICHAEL LUTZ

ORDER OF DISMISSAL

To Officer Michael Lutz:

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the Board on March 26, 2001, is dismissed due to the Complainant's passivity, by the

MILWAUKEE BOARD OF
FIRE AND POLICE
COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, OCTOBER 11, 2001.

c: Attorney Laurie Eggert ✓

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 10, 2001

TO: P.O. SCOTT VOEKS
DISTRICT ONE

RE: Receipt of Legal Services from Law Firm of
Attorney

Attorney LAURIE EGGERT has made a claim with the City, indicating the attached was provided with legal services arising out of one of the following situations:

- 1) An incident occurring on JANUARY 31, 2001
- 2) A citizen's complaint made by JACQUETTA CATHEY
- 3) A police shooting incident occurring on NA

Is this information correct?

YES X NO _____

Did you receive legal representation
in this matter?

YES X NO _____

Your signature: Scott A. Voeks
Print your name: Scott Voeks

Upon completion, please return this memorandum to the Internal Affairs Division at the Police Academy (Room 325) as soon as possible.

SA Settingsgaard
STEVEN SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

DTS:dnp

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 10, 2001

TO: P.O. MICHAEL LUTZ
DISTRICT THREE

RE: Receipt of Legal Services from Law Firm of
Attorney

Attorney LAURIE EGGERT has made a claim with the City, indicating the attached was provided with legal services arising out of one of the following situations:

- 1) An incident occurring on JANUARY 31, 2001
- 2) A citizen's complaint made by JACQUETTA CATHEY
- 3) A police shooting incident occurring on NA

Is this information correct?

YES ☒ NO ☐

Did you receive legal representation
in this matter?

YES ☒ NO ☐

Your signature: _____

Print your name: _____

P.O. Michael Lutz 80353
MICHAEL LUTZ

Upon completion, please return this memorandum to the Internal Affairs Division at the Police Academy (Room 325) as soon as possible.

St. Settingsgaard
STEVEN SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

DTS:dnp